

<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="font-size: small; margin: 5px 0;">(to be used for all correspondence after initial filing)</p>	Application Number	Patent#: 7,119,062
	Filing Date	Issued: October 10, 2006
	First Named Inventor	Mark R. ALVIS
	Art Unit	1654
	Examiner Name	P. Duffy
	Attorney Docket Number	437252001200
Total Number of Pages in This Submission		4

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form – 1 page  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Notice of Change of Status – 2 pages
<div style="border: 1px solid black; display: inline-block; width: 100px; height: 20px; margin-bottom: 5px;"></div> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP (Customer Number: 25226)		
Signature	/Kimberly A. Bolin/		
Printed name	Kimberly A. Bolin		
Date	July 25, 2007	Reg. No.	44,546

<b>Effective on 12/08/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b>		<b>Complete if Known</b>	
<b>FEE TRANSMITTAL</b> <b>For FY 2007</b>		Application Number	Patent#: 7,119,062
		Filing Date	Issued: October 10, 2006
		First Named Inventor	Mark R. ALVIS
		Examiner Name	P. Duffy
		Art Unit	1654
		Attorney Docket No.	437252001200
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\$)</b> 700.00		

**METHOD OF PAYMENT (check all that apply)**

☐ Check   
 ☐ Credit Card   
 ☐ Money Order   
 ☐ None   
 ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account   
 Deposit Account Number: 03-1952   
 Deposit Account Name: Morrison & Foerster LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below   
 ☐ Charge fee(s) indicated below, **except for the filing fee**

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17   
 ☒ Credit any overpayments

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	0.00
Design	200	100	100	50	130	65	0.00
Plant	200	100	300	150	160	80	0.00
Reissue	300	150	500	250	600	300	0.00
Provisional	200	100	0	0	0	0	0.00

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
HP = highest number of total claims paid for, if greater than 20.						
<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>			
HP = highest number of independent claims paid for, if greater than 3.						

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Payment of Deficiency Owed 700.00

<b>SUBMITTED BY</b>			
Signature	/Kimberly A. Bolin/	Registration No. (Attorney/Agent)	44,546
Name (Print/Type)	Kimberly A. Bolin	Telephone	(650) 813-5740
		Date	July 25, 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent of:  
Mark R. ALVIS et al.

Patent No.: 7,119,062 B1

Issued: October 10, 2006

Art Unit: 1654

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For: METHODS AND COMPOSITIONS FOR  
IMPROVED ARTICULAR SURGERY USING  
COLLAGEN

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Examiner: A. Mohamed

**CONFIRMATION OF NOTICE OF CHANGE OF STATUS**  
**UNDER 37 C.F.R. §1.28(C)**

MS Post Issue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

A good faith error appears to have been made regarding the above-referenced patent and the Issue Fee payment appears to have been paid at the small entity amount in error, which should have been large entity status. As required under 37 C.F.R. §1.28(c), Applicants include in this submission an itemization of deficiencies owed from the previous erroneous payment and include the calculated deficiency payment.

Small entity fees were paid in the payment of the Issue Fee on August 14, 2006, although the Issue Fee transmittal clearly indicated the change in entity status from small entity to large entity. Applicants are enclosing the amount of \$ 700.00 to provide the difference between the amount to be paid as a large versus small entity. Pursuant to 37 C.F.R. §1.28(c), this fee (representing the deficiency) is based on the amount of the fee in effect at the time the deficiency is paid in full.

As required under 37 C.F.R. §1.28(c)(2), to correct this oversight and in order for the error in payments to be excused we hereby submit an itemization of all erroneous small entity payments and the differential fees, together with the deficiency payment and hereby request that the Office **confirm** the change in the status of this patent to LARGE ENTITY. The Applicants note that as of July 9, 2007, a review of the maintenance fee payment window on the PAIRS database for the above-referenced patent indicated entity status as LARGE ENTITY.

**Itemization of all erroneous small entity payments and the differential fees:**

TYPE OF FEE	DATE PAID	SMALL ENTITY FEE PAID	CURRENT FEE AMOUNT	LARGE ENTITY DIFFERENTIAL FEE
Payment of the Issue Fee	August 14, 2006	\$ 700.00	\$ 1,400.00	\$ 700.00
<b>TOTALS</b>		<b>\$ 700.00</b> (Total Fees Previously Paid)	<b>\$ 1,400.00</b> (Current Fee Amount)	<b>\$ 700.00</b> (Corrected Fee Amount to be charged to Deposit Account No. 03-1952 )

Based upon the above, Applicant believes the differential between the small entity fees previously paid and the large entity fees now owing should total \$ 700.00. Applicant requests this *differential fee* be paid from our **Deposit Account No. 03-1952** referencing docket no. **437252001200**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: July 25, 2007

Respectfully submitted,

Electronic signature: /Kimberly A. Bolin/

Kimberly A. Bolin

Registration No.: 44,546

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